



## Titusville Morning Herald.

Thursday, February 17, 1870.

## Report of the Commissioners of Patents.

We shall briefly notice this elaborate and interesting document. A notable feature pointed out in the report is that one of the results of peace and the introduction of "new" patents of labor in the South is the increase of applications for patents from that part of the country. During the past year forty-six patents were granted to citizens of Alabama, eleven to those of Arkansas, five to Louisiana, eight to Georgia, eighty-six to North Carolina, twenty-four to South Carolina, twenty-four to Mississippi, forty-four to Tennessee, forty-four to Texas, thirty-six to Virginia, and thirty-seven to West Virginia. In the class of agriculture, the examiner reports that "in 1869 the number of applications from the South, as compared with those from the North, was less than two and a half per cent. of the whole number. In 1868 the number of applications from the South was increased to over twenty-three per cent. of all the cases of my class."

The report makes a contrast between the European and American patent systems, and decides in favor of ours. The patent system in vogue in Europe is substantially one of registration. Patents are granted upon the application of the inventor, without examination into the novelty or utility of the invention. The responsibility is thrown upon him of so framing his specification and claims that they will bear the test of subsequent investigation. This he does at his peril; and if he attempts to make any preliminary examination into the state of the art, he can do it only by the aid of solicitors, whose charges are far greater than the fees for a similar service would be if the work were done by sworn officers.

That the foreign patent is inferior to the "American system" of examination will appear from the following considerations: During the year 1869, 19,371 applications were filed in the United States Patent Office. Of these, 5,395 were rejected finally and no patents were granted upon them. These constitute about twenty-eight per cent. of the whole number. By the English and foreign system all of these rejected applications would have become patents, and 5,395 worthless patents would have been foisted upon the country. But this is not all. Of the 13,976 patents which were actually issued, about 12,500 were rejected in the first instance and were only finally allowed after material modifications of the specifications or claims. By far the greater part of these modifications were in the nature of limitations of claims, which would otherwise have been too broad. In other words, the applicants for 12,500 of the patents issued during the past year originally claimed too much, and were required to abate their pretensions before the grant was made. If these patents had been issued as they asked for them, they would have deceived the public as to the scope of the inventions and the state of the art.

It may be safely asserted that the large majority of the patents issued from the Patent Office are good and valid; and, if rightly read and properly construed, fairly represent the status of the inventions in the arts to which they relate, so that no one who adopts ordinary precautions need be deceived by them as to the character of the inventions patented. The Commissioner makes several practical recommendations. The Courts have decided that no statute exists limiting the time within which actions may be brought for the infringement of letters patent. The action on the case in several States is variously limited to one, three, five and six years. He submits that a limitation of five years after the expiration of the patent would be a proper provision. He advises that copyrights should be registered in the Patent Office. He also urges that some provision is needed limiting the time during which applications shall be permitted to lie in the Patent Office, after adverse action, before the next step by way of appeal or amendment is taken. Much injury to the business of the country is likely to result from the construction lately given to the law by indicting patents upon the nation for inventions which have long been in public use. This is, in effect, to create a monopoly, instead of affording encouragement to inventors.

## Postal Telegraph.

The Senate Committee on Post Office and Post Roads in their report in favor of the bill to establish postal telegraphs and to establish the Postal Telegraph Company, express the belief that the time has come for connecting the telegraph with the postal service. America is the only country in which correspondence by telegraph is entrusted solely to private corporations. The investment in proportion to the length of the lines, is large, the rates are higher and the telegraph is less used than in most European countries, though there is no nation where it could be used to so great an advantage. In all other countries the charges are uniform for the same distance. Here they vary in different sections and are higher at the South than at the West, and higher at the West than at the East, and therefore discriminate against those sections where, from the frequency of the mails and the means of communication the telegraph is most needed. The average cost of construction of telegraph lines in this country is \$170 per mile. The average cost in five European countries is seventy-five dollars per mile. It is not asserted that the wires can be built here, as cheaply as in Europe, but there is no reason for this great difference. High rates are required in this country to yield a fair return upon the nominal investment. Competition has reduced the tariff between a few competing points, but at an increase of capital and private expense. The permanent remedy for this evil is a large reduction of capital, the consolidation of the competing companies and a reduction of office expenses by a union with the post offices and by the employment of telegraph boys by stamps. This will enable a great reduction to be made in the salaries, with a corresponding reduction of the private expenses on each message, and will extend the benefit of the telegraph to all classes and remove the cause of competition. The committee give a statement of the capital expense and earnings of the Western Union Company, and allude to the Belgian and British lines, and say that they do not feel justified in the present condition of our financial resources to recommend a government telegraph, which would involve the expenditure of from eighteen to twenty millions of dollars for the lines of one company alone, and an annual tax upon the whole people for the benefit of the small number who use the telegraph. The advantages of the system recommended are in the reduced rates, in uniform rates for equal distances, and in a right that is now enjoyed as a favor. The telegraph companies have already agreed that the United States may purchase the lines by availing themselves of the provisions of an act passed July 24, 1866. The committee conclude by saying that the postal telegraph system will depend for its success on the economy with which it is managed.

## Japan.

Secretary Fish has received a long and interesting letter from the Hon. C. E. De Long, our Minister Resident in Japan. He gives a full account of his trip to and arrival at his post of duty. He complains that, being but a Minister Resident, he is outranked by the English, French, Italian and Holland Ministers, says that his salary is not sufficient, and it is impossible for the American Minister to have influence in Japan to compete with the other foreign Ministers, if the position is not made one of the first class. He says that our receipts from duties for imports from Yokohama alone are over two and a half millions of dollars for last year, and that the commerce with this country is rapidly increasing throughout the seaport cities of the Empire. The Pacific Mail Steamship Company has given a great impetus to trade and commerce, and now travelers are constantly pouring into Yokohama and Yokohama, on their tours around the world. The Minister and officers of the Legation have not sufficient means for his trip to treat their countrymen properly. He says that, under the present building, offices, &c., and a Minister's residence, should be erected there at once. A guard of my twenty-five American soldiers should always be there. A man-of-war should always be kept at anchor off the Minister's residence. Thus it is with all the other Great Powers, and the Japanese Government respect only power and the show of it. He says that the British Minister receives \$4,000 a year, besides all his expenses of legation, house, jail, post office, ambulances, and hospital, and therefore receives much attention from the Japanese authorities. He urges the erection of a post office, jail, and hospital, together with a Minister's residence at Yokohama, and a post office and jail at Yokohama. He contends that they are absolutely necessary, and represents that suitable ground in Yokohama for the purposes has been in the possession of our Government for some two years past waiting the action of Congress. He has received a notification from the Japanese Ministers that the buildings used by the Legation, and says they are the best that can be obtained for the rent paid, and that an hour's contemplation would destroy them, with all the vouchers and other important documents belonging to the Legation. He gives an unfavorable account of the condition of the Minister's residence and the buildings used by the Legation, and says they are the best that can be obtained for the rent paid, and that an hour's contemplation would destroy them, with all the vouchers and other important documents belonging to the Legation.

Another section of the Executive Council was held yesterday and six fathers took part in the discussion. It was announced to the Council that the Bishops of Antwerp, Mechlin and Salerno, had received the title of Primate; eight Bishops have received permission to return to their dioceses.

All the great powers of Europe sustain the Russian Government in its demand upon Switzerland for the surrender of the felon Nebojoff.

The House of Commons held a brief session today. The proceedings were unimportant. The Nova Scotia ship Riva was lost off the coast of Lunenburg. She was bound to Boston with coal. Eight lives were lost. The bark Unna, from New York, was destroyed by fire at Rotterdam.

## General News.

The faculty of the College of New York dismissed 80 students last week for proving deficient at examination.

## BY TELEGRAPH.

Associated Press Reports.

By the Western Union Line.

## NEWS BY CABLE.

MADRID, Feb. 16. Gen. Prim yesterday officially assured the Cortes that the recent visit of the Duke of Montpensier was not on political matters.

Seven journals of this city have been official warms this week.

Still another prosecution has been commenced against Marcelline for violation of the press law.

Arrived, steamer *Pierre*, Feb. 16.

Continental banks generally are reducing their rates of interest.

The Telegraph (Liberal), reviewing the debates in the House of Commons last evening on the occasion of the introduction of the Irish land reform bill, expresses great satisfaction with the proceedings. The writer thinks the real union of Great Britain and Ireland may be dated with last night. The new bill is so perfect that it is inevitable.

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At a meeting yesterday of the creditors of H. H. Smith & Co., woolen goods importers, of White Street, it was unanimously agreed to accept a compromise of 50 per cent. payable at 3, 9 and 12 months.

The West Side Elevated R. R. will be opened to the public March 1st.

At a special term of the Supreme Court held in Brooklyn by Judge Pratt the recent decision of Chief Justice Chase, holding that principal and interests of all contracts entered into by a citizen of one State and a citizen of another State, were voidable at the option of the State of New York, was practically applied in the case of Johnston & Co. v. Alfred Doubleday and others. Plaintiff sued for foreign exchange for \$3,000, dated July 1, 1868, and judgment was given in favor of plaintiff, principal and interest to be paid in gold, or the equivalent of gold in greenbacks, acting under the United States Supreme Court decision above referred to.

It is said the bankers, brokers, insurance companies and business men have been selected by the House of Representatives to be sworn in as citizens of the United States, and that they shall not take advantage of the recent decision of the Supreme Court relative to contracts and mortgages.

Arrived, steamships *Britannia*, from Palermo, Italy, and *Albatross*, from Havana, Feb. 16.

The use of Henry Rogers was concluded yesterday in the Essex County Court by a verdict of guilty of manslaughter. The jury made a strong recommendation for mercy of the Court. Sentence was postponed until the 21st inst.

A Byron banquet is to be given in this city on the 23rd of April next, the anniversary of the death of the poet, and will be given by a large number of prominent bankers and lawyers, who propose by this homage to the poet to testify their repudiation of the slanders heaped on his memory.

It is pretty generally estimated that Adam Baile, the well-known brewer whose mysterious disappearance has been the subject of a number of paragraphs the past three or four days, has been abandoned. He is supposed to have been working under financial embarrassments and he has abandoned to escape their responsibility. His liabilities amount to about \$70,000 held by various bankers, brokers, &c. His assets are said to be not up to \$100,000. He is said to have three children, and left yesterday, but whether he is or is not known. Baile had at least \$15,000 with him when he left.

## Municipal Election.

The charter election yesterday was closely contested. The Republicans re-elected Mayor Clark by 350 majority, and one Overseer of the Poor and one Justice. The Democrats elected one Overseer of the Poor, one Justice, and two Assessors and one Supervisor. The Republicans carry five of the eight wards and one Alderman. The Common Council stands five Democrats to five Republicans.

## Prohibition Convention.

The Friends of Prohibition held a convention today, Whiting Griswold presiding. Speeches were made by several prominent men, and a resolution was adopted to form a national party and looking to a formation of a third political party were adopted. The convention was not large.

## BNAI GEMILAS CHESD!

This HEBREW POLISH CONGREGATION have bought a lot on Martin street, in Titusville, and propose to erect a synagogue as soon as they can raise a sum of \$5,000. They appeal to the generous and benevolent people of the Oil Region to assist them with contributions to carry forward the work.

## FINANCIAL AND COMMERCIAL.

Oil and Free Sale of Crude Petroleum.

500 bbls on the Upper creek, at..... 4.30  
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Refined—The business in Refined is light and prices are lower. We can report a sale of 1,500 bbls last half February at 29¢, more offering at the same price. We quote as follows: March 29¢ 1/4, April 29¢ 1/4, May 29¢ 1/4, June 29¢ 1/4, July 29¢ 1/4, August 29¢ 1/4, September 29¢ 1/4, October 29¢ 1/4, November 29¢ 1/4, December 29¢ 1/4, all year 29¢ 1/4.

Mr. Stewart made an argument against the power of Congress to impose unwarranted conditions upon Mississippi. Mr. Fowler addressed the Senate against the power of Congress to impose conditions. Adjourned.

## House.

Mr. Maynard offered a resolution directing the Special Committee on American Navigation to inquire into the expediency of granting bounties on all iron built sea-going vessels constructed in this country during the next three years, as from American iron, equal to the duties which would have been imposed on such materials if imported. Adopted.

A number of petitions were granted. Mr. Bennett introduced a bill for the better protection of the Northern and North-western States from American navigation, equal to the duties which would have been imposed on such materials if imported. Adopted.

Mr. Cretch offered a resolution instructing the Judiciary Committee to inquire into the expediency of repealing the law conferring admiralty jurisdiction on State courts exercising the common law of jurisdiction.

The committee also reported a petition of citizens of Massachusetts that that State be recommended to a territorial condition on account of its States rights heresies in 1813, &c. [Laughter.] Referred to the Reconstruction Committee.

Mr. Cull's reported bill adversely the bill providing a territorial Government for Alaska. Tabled.

Mr. Cull reported a bill to aid the execution of the law in Utah so as to prevent and punish fraud.

During the reading of the bill the morning hour expired and it went over till to-morrow.

Mr. Banks, chairman of the Committee on Foreign Affairs, introduced the following joint resolution, which was referred to the Committee on Foreign Affairs:

Joint resolution in relation to the contest between the people of Cuba and the Government of Spain.

Resolved by the Senate and House of Representatives, in Conference assembled, That the President of the United States be and he is hereby authorized and instructed to declare and maintain strictly impartial neutrality in the contest now existing between the people of Cuba and the Government of Spain; and it is further resolved,

That all acts or parts of acts and all provisions of statutes, approved April 20th, 1818, entitled "An act in addition to the act for punishment of certain crimes against the United States," and to repeal the act in relation to the United States, be and they are hereby repealed, and the faithful execution of the object and purpose of the foregoing resolution, shall be and hereby are declared to be in regard to the existing contest between the people of Cuba and the Government of Spain, and so long as the contest shall continue in operation, null and void.

The House then resumed consideration of the Green-Van Wyck contested election case, and discussion was continued until half-past four, when the resolution of the majority, declaring Green, sitting member, was entitled to the seat to Van Wyck, was adopted.

A motion to adjourn was then made on the Democratic side pending the swearing in of Van Wyck.

Mr. Brooks, of New York—Swear him, swear him.

Mr. Stiles—After that outrage the House had better adjourn.

Mr. Brooks—The gentleman's language is very unparliamentary.

It appearing on division that no quorum was present, the House at 5:20 adjourned.

## Senator Grimes.

Private intelligence has been received at Des Moines from Senator Grimes, now in Europe, to the effect that his health is failing fast and that it is very probable that he will not survive the journey home.

## Congressman Elected.

Gen. David Atwood, editor of the Madison State Journal, has been elected to Congress from the Second Wisconsin District to fill the place of John E. H. Smith, deceased. There was no organized opposition to Atwood.

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A Holland family named Boukema, residing at 41 Lake street, composed of husband, wife and two children, were poisoned last night in some mysterious manner, but supposed from eating from a bottle of mush which was found standing in the room when discovered. The mother and one child were dead, and it is positively certain the other child will die. The man will probably recover. The case will be investigated to-night.

It is pretty generally estimated that Adam Baile, the well-known brewer whose mysterious disappearance has been the subject of a number of paragraphs the past three or four days, has been abandoned. He is supposed to have been working under financial embarrassments and he has abandoned to escape their responsibility. His liabilities amount to about \$70,000 held by various bankers, brokers, &c. His assets are said to be not up to \$100,000. He is said to have three children, and left yesterday, but whether he is or is not known. Baile had at least \$15,000 with him when he left.

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Mr





**19-015 OPERATORS.**

**ATKINSVILLE PIPE COMPANY.**  
OFFICE OF THE ATKINSVILLE PIPE COMPANY,  
ATKINSVILLE, JAN. 1, 1870

The following are the conditions upon which the  
ATKINSVILLE PIPE COMPANY transport Pitkin-  
goum:

- 1st An allowance of two (2) per cent will be claimed  
and collected by the Company on all oil when removed  
by them.
- 2d All oil in the custody of the Company is entirely  
under their control and they may either deliver tanks  
at stations or in transit.
- 3d No oil will be received for storage purposes. Tan-  
ks if received in storage are allowed to remain which to re-  
move there if, not so removed, it will be entirely at  
the owner's risk, leakage of tanks, shrinkage of  
evaporation.
- 4th If oil is not removed within the time ap-  
pointed above, it will be (a) reargued with the shrinkage,  
and evaporation that may result therefrom during the time  
such oil remains in the custody of the Company, and (b)  
the usual rate of such losses for the time and season.  
5th Transportation and other charges are required  
to be paid before oil is delivered.

186-ly CLAS 1 H ACHT SUPERINTENDENT H

**OIL STORAGE.**

OFFICE OF THE  
ALLEGHANY LAMPRATION CO.,  
ATKINSVILLE, AUGUST 1870.

The following resolution was passed at a meeting  
of the Board of Directors of this Company this date  
To wit: on and after the 1st day of August 1870.

**NO CHARGE FOR STORAGE OF OILS**  
shall be made, the tanks of the Company being reserved  
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s m t h i n g n e w a t H U N T ' S B a n l W h e e l S h o p i n  
t h e w o f S U C K E R R O D S a t  
O X L F I R M L L S S  
t h e n t h e u s u a l j u r e . - I W a t e r S t r e t L i n c o l n , J u  
j u n 2 d d i l

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Patent Sucker Rod Manufactory'

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